

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MAJOR BRANDS, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:18CV423 HEA
)	
MAST-JÄGERMEISTER US, INC.,)	
et al.)	
)	
Defendants,)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on Defendants’ Motion for Stay and to Fix Supersedeas Bond, [Doc. No. 585]. Plaintiff has not responded to the motion. For the reasons set forth below, the motion will be granted.

On November 22, 2021, a jury returned a verdict in Plaintiff’s favor on its claims against Defendants for violation of the Missouri Franchise Act, tortious interference, and civil conspiracy. Plaintiff was awarded \$11,750,000 in compensatory damages.

A district court may stay execution and enforcement of a judgment if a party “provid[es] a bond or other security.” Fed. R. Civ. P. 62(b). “Rule 62 is silent as to the amount or other qualities of a supersedeas bond that will be necessary to obtain court approval.” *Selective Ins. Co. of S.C. v. Sela*, No. 16-CV-4077 (PJS/BRT), 2020 WL 3638770, at *1 (D. Minn. July 6, 2020) (internal quotation marks

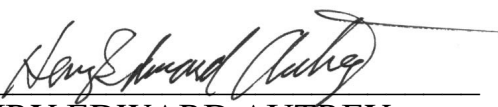
omitted). However, the “general rule is for the district court to set a supersedeas bond in the full amount of the judgment plus interests, costs, and damages for delay.” *Adzick v. Unum Life Ins. Co. of Am.*, No. 99-0808 (JRT/FLN), 2003 WL 21011345, at *1 (D. Minn. Apr. 16, 2003) (internal quotation marks omitted). A district court also has the authority to waive the bond requirement. *Id.* “The stay takes effect when the court approves the bond or other security and remains in effect for the time specified in the bond or other security.” Fed. R. Civ. P. 62(b). Here, Defendants have proposed a bond in the amount of the total Judgment in favor of Major Brands plus three years of post-judgment interest calculated at the applicable rate of 0.18% simple interest per annum.

Because the supersedeas bond proposed by Defendants represents the full amount of the judgment plus interest, the Court approves the proposed bond.

Pursuant to Rule 62(b), Fed. R. Civ. P., a stay of the judgment is warranted.

Based on the foregoing analysis and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Defendants’ proposed supersedeas bond of \$12,384,500.00 is **APPROVED**.

Dated this 30th day of September, 2022.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE